

## SUSPENSION OF HOSTILITIES

*Military convention signed at México February 29, 1848*

*Ratified for Mexico March 4, 1848*

*Ratified for the United States March 5, 1848*

*Entered into force March 5, 1848*

*Terminated upon fulfillment of its terms*

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### MILITARY CONVENTION FOR THE PROVISIONAL SUSPENSION OF HOSTILITIES

The undersigned met in the City of Mexico on the twenty ninth day of February 1848 for the purpose of complying with the 2nd Article of the treaty of peace which was signed at the town of Guadalupe Hidalgo on the 2nd instant,<sup>1</sup> in which it is agreed as follows:

“Immediately upon the signature of this treaty a convention shall be entered into between a Commissioner or Commissioners appointed by the General in Chief of the forces of the United States and such as may be appointed by the Mexican Government; to the end that a provisional suspension of hostilities shall take place, and that, in the places occupied by the said forces, constitutional order may be re-established, as regards the political, administrative and judicial branches, so far as this shall be permitted by the circumstances of Military occupation”.

When having mutually exhibited and examined their respective full powers which were found full and satisfactory they agreed upon the following Articles.

#### ARTICLE 1ST

There shall be an absolute and general suspension of Arms and hostilities throughout the whole republic of Mexico between the forces of the United States of America and those of the United Mexican States:—and consequently; immediately after the publication of this convention for the suspension of hostilities, in any place or district, no act of hostility of any kind shall be committed by the forces of either party;—and if any person or persons be guilty of any breach of this article, they shall be individually liable to be tried and condemned under the laws of War.

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<sup>1</sup> TS 207, *ante*, p. 791.

## ARTICLE 2ND

The troops of the United States shall not advance beyond the positions already occupied by them towards any part of the Mexican territory not now in their possession, nor extend in any manner the limits of their present occupation—nor shall the troops of the United Mexican States advance from the positions now occupied by them, but each party may move freely and peaceably as they find most convenient, within the limits of their occupation, neither passing through a territory occupied by the other.

## ARTICLE 3RD

All persons of either nation not belonging to the Army, may travel without molestation wherever their business may call them, subject to the laws of the country—But all persons belonging to the Army traveling from the posts of one, towards those of the other, shall be accompanied by a flag of truce or a Safe Conduct.

## ARTICLE 4TH

In the Federal District and in all States occupied by the American troops, the collection of all the contributions of war provided for by General Orders Nos. 376. & 395. of the Commander in Chief of said forces, due or becoming due for the months of February and March, shall be suspended until the expiration of this convention; and upon the ratification by the Mexican Government of the treaty of Peace signed on the second instant, all such contributions for the months of February and March, and afterwards shall be entirely remitted. But the tax on Gaming houses, liquor shops, and places of public amusement shall continue to be collected as now, in each place occupied by the American troops, until the exchange of the ratification of the treaty; without prejudice to the rights of the municipal authorities to collect taxes as heretofore.

## ARTICLE 5TH

With a view to the re-establishment of constitutional order as regards the political, administrative and judicial branches—it is agreed that in all the places occupied by the American forces, the citizens of the Mexican Republic shall be free to exercise all their political rights in Electing and installing the general, State and municipal authorities which belong to the Territorial division fixed by the Mexican laws and Constitution.

The American authorities will respect the exercise of those rights, and consider those as duly elected, who are held as such by the Mexican Government and in like manner will be considered those civil appointments made by the Mexican general or State government.

## ARTICLE 6TH

Whenever an election is to be held in any town or place, occupied by the American troops: upon due notice thereof being given to the commanding officer, he shall march the whole of his force out of the limits of such town or place and there remain with them, until after the hour at which such elections should be concluded, leaving within the town or place only the force necessary for the security of his barracks, hospitals, stores and quarters.

And no person belonging to the American Army, shall by any means or on any consideration attempt to obstruct or interfere with any election: in order that they may be conducted according to the Mexican laws.

In Vera Cruz, the troops shall retire within the walls of the fortifications, and there remain until the elections are concluded.

## ARTICLE 7TH

The Mexican authorities whether General, State or municipal shall have full liberty to establish and collect in the places occupied by the American troops all taxes and revenues in conformity with the laws of the country: to appoint all officers and agents necessary for the purpose, to dispose of such revenues as they may think fit, without any intervention on the part of the American troops: Excepting from this stipulation, all duties collected in the Custom houses, all internal duties on transit, and those collected on the precious metals in the places occupied.

But if the Mexican Government desire to re-establish the Tobacco monopoly, It shall give public notice of its intention, 60 days, to be counted from the date of this convention, in order that the holders of that article may have time to dispose of it. Nor shall any tax be laid upon any one belonging to the American Army nor on its necessary supplies.

## ARTICLE 8TH

In all places of the Mexican Republic the Revenue and administrations of the Post-office shall be re-established as they previously existed. All post houses, Post offices, public stages, horses, mules and other means of transportation shall receive the protection of the forces of both parties, and the whole shall be managed and conducted by the persons appointed in conformity with law, by the Mexican Government.

## ARTICLE 9TH

Should there be any stock or deposit of Tobacco, Stamped paper or Playing cards, or other articles of commerce belonging to the Mexican Government or to that of any of the States, in any place occupied by the American troops, and of which they have not taken possession; such articles may be

freely taken possession of by the Mexican Government and transported in such manner, and to such places as may suit its convenience.

#### ARTICLE 10TH

Immediately after the publication of this convention all public offices not in the occupation of the American troops, and all Archives, Utensils and furniture of such offices shall be delivered up to civil officers of the General or State Governments; and as soon as other convenient places can be provided for the troops and officers now occupying them, all Convents of Nuns, Colleges for Education, Public Hospitals and other buildings for charitable purposes—shall be immediately vacated and delivered up.

#### ARTICLE 11TH

In all places occupied by the American troops—The Federal and State courts of justice and civil tribunals of every grade may enter freely and without any interruption, upon the exercise of their appropriate functions in conformity with the Mexican laws.

Nor will the American Military tribunals or civil tribunals created by their authority, take cognizance of or interfere in any cause or matter, unless a person belonging to the American Army be originally a party or the interest of the American Government or Army be concerned, in which cases, the jurisdiction shall remain in them; and the Mexican tribunals recognized and to be respected by the American Army, shall be those designated as legal by the proper authority of the Mexican General or State Governments respectively.

#### ARTICLE 12TH

In the Federal District there may be organized and armed a force of 600 men of police or national guard to preserve order and maintain police—and in other places occupied by the American forces the Commanders thereof and the Mexican civil authorities shall agree upon the establishment of a convenient force for similar purposes.

#### ARTICLE 13TH

In future as heretofore—in all the places occupied, Mexicans or Foreigners resident in Mexico, shall enjoy the protection of person and property guaranteed by the constitution and Laws of the Republic—and, as has heretofore been done, all supplies taken for the American Army shall be paid for at fair prices.

#### ARTICLE 14TH

The commanding officers of the American forces on the northern frontier of Mexico shall use all their influence to prevent the incursions of savages into the Mexican territory, and the robbery and ill treatment of the inhabitants—

and the Mexican forces may assemble, oppose and pursue said Indians even within the lines occupied by the American troops, without being considered as infringing the provisions of this convention.

#### ARTICLE 15TH

The American Army will continue to respect as hitherto, the temples and free exercise of the religion of the people of the Mexican Republic, in public and private—and church property shall be subject only to such laws as were in existence, or may be passed by the Mexican Government.

#### ARTICLE 16TH

If any body of armed men be assembled in any part of the Mexican Republic with a view of committing hostilities not authorized by either government; It shall be the duty of either or both of the contracting parties to oppose and disperse such body, without considering those who compose it, as having forfeited the protection of the laws of nations, unless they have been guilty of robbery or murder.

The performance of this duty shall not be considered an infraction of this convention.

#### ARTICLE 17TH

This convention shall remain in force during the period fixed by the Treaty signed on the second instant at Guadalupe Hidalgo—or until one party shall give to the other, notice of its termination with the following additional delay, to wit: five days for all places within 60 leagues of the Capital, seven days for all places within 90 Leagues and twenty days for all other places.

The ratification of this convention shall be exchanged at Mexico within seven days from its signature.

In faith of which this convention has been signed in quadruplicate by the Commissioners the day month and Year first mentioned.

IGNACIO DE MORA Y VILLAMIL

BENITO QUIJANO

W. J. WORTH *Bt Major General*

PERSIFOR F. SMITH *Bt Brig. General*

Ratified by me as General in Chief of the Army of Operations in Querétaro with previous authorization of the Supreme Government and in conformity with its instructions. Querétaro, March fourth, one thousand eight hundred and forty-eight [translation].

MANUEL MAR<sup>a</sup> LOMBARDINI

Ratified by me, at the city of Mexico, March 5, 1848.

W. O. BUTLER *Maj. Gen. Comg.*